**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**CRIMINAL APPLICATION NO.4899 OF 2004**

Cincom Systems India Pvt.Ltd. ...Applicant

vs.

The State of Maharashtra and another ...Respondents

Mr.Kishorkumar Mhatre for Applicant.
Mr.U.V.Nikam,A.P.P. for State
Mr.Nitin Deshpande for the Respondent No.2

**CORAM: A.S.OKA,J.**
**DATE : DECEMBER 11,2006.**

**P.C.:**

1. Heard Advocate for the Applicant and the learned A.P.P. for State and the Advocate for Respondent No.2.

2. In view of the decision of this Court in case of V.K.Jain and others vs. Pratap Padode and another [(2005) 3 Mh.L.J. page 778), the learned Advocate for the Applicant seeks permission to withdraw this Application with liberty to file a Revision Application before the appropriate Court of Session for challenging the order issuing process. He prays that the ad-interim relief which was operating till today may be extended to enable the Applicant to apply for appropriate interim relief in the Revision Application. The learned Advocate for the second Respondent has no objection for adopting the said course.

3. Hence, I pass the following order :

i) Application is dismissed as withdrawn with liberty as prayed.

ii) Ad-interim relief granted earlier by this Court on 24th November 2004 will continue to operate for a period of eight weeks from today.

iii) If a Revision Application is filed by the Applicant, the concerned Court is bound to take a note of the fact that this Application was filed in this Court on 2nd November 2004 and the same remained pending in this Court till today.

iv) All contentions of the parties on merits of the Revision Application are kept open.

**JUDGE**